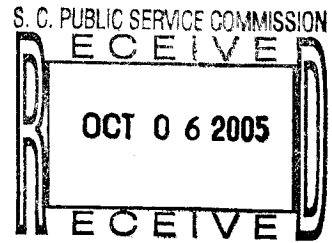


ELLIS:LAWHORNE

John J. Pringle, Jr.
Direct dial: 803/343-1270
jpringle@ellislawhorne.com

October 5, 2005



VIA ELECTRONIC MAIL AND FIRST-CLASS MAIL SERVICE

The Honorable Charles L.A. Terreni
Chief Clerk
South Carolina Public Service Commission
Post Office Drawer 11649
Columbia, South Carolina 29211

RE: BellSouth Telecommunications, Inc.'s Complaint and Request for Summary
Disposition Against NewSouth Communications Corp.
Docket No. 2004-0063-C, Our File No. 802-10227

Dear Mr. Terreni:

I am writing to request that the hearing currently scheduled for 10:30 am on November 30, 2005 in the above-referenced Docket be rescheduled. I am currently involved in another case in Circuit Court that is set for trial beginning November 28th and continuing through December 1, 2005. Please see attached document from Judge Ernest Kinard regarding this matter.

Accordingly, since no party has yet filed testimony in this Docket, I would request that the prefiling deadlines established with reference to the current hearing date be revised to reflect the rescheduled hearing in this matter.

Please acknowledge your receipt of this document by file-stamping the copy of this letter enclosed, and returning it in the enclosed envelope. By copy of this letter, I am serving all parties of record and enclose my certificate of service to that effect. ✓

If you have any questions or need additional information, please do not hesitate to contact me.

With kind regards, I am

Very truly yours,

John J. Pringle, Jr.

JJP/cr

cc: all parties of record
Enclosures



① Reston
04 3574

State of South Carolina (2) Reston This
The Circuit Court of the Fifth Judicial Circuit CASE

J. ERNEST KINARD, JR.
JUDGE

1701 MAIN STREET- RICHLAND COUNTY
JUDICIAL CENTER
COLUMBIA, SOUTH CAROLINA 29202
TELEPHONE: (803) 576-1746
FAX: (803) 576-1777
E-MAIL: ekinardj@scjd.state.sc.us

RE: 04-CP-40-3575

Attorneys,

At our status conference held on 6-15-05 it was agreed that:

(1) This case(s) would be ready for trial after 1/28/05 A day certain was established for 1/28/05 with the understanding that the estimated trial time would be 4 days. If circumstances change please advise as there is a heavy demand for the limited number of days certain available.

(2) the case, which will take about _____ days to try, would not be placed on the trial docket until after _____.

(3) ... and the parties will apply at a subsequent status conference for a certain date for trial.

Additionally,

(A) A scheduling order was signed.

(B) A scheduling order will be submitted by 7/25/05.

(C) No scheduling order is needed.

MOTION TO LIMIT DEP
// // CONSULT
// of PROTECTIVE
Respectfully,
J. Ernest Kinard, Jr.
Chief Administrative Judge
Fifth Judicial Circuit

Motions set 7/18 at 10
before [signature]

